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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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7 ANTHONY M. MENDOZA,
8 Plaintiff,

9 v.
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11 HIGH PERFORMANCE CAPITAL INC., et
12 al.,
13 Defendants.

Case No. [16-cv-05556-DMR](#)

ORDER TO SHOW CAUSE

14 Defendant High Performance Capital Inc. filed a motion for summary judgment on August
15 24, 2017. [Docket No. 31.] Currently, the motion is set for a court hearing on September 28,
16 2017. Plaintiff Anthony M. Mendoza is pursuing this action without legal representation.
According to the local court rules, Plaintiff should have filed any brief in opposition to
17 Defendant's motion by September 7, 2017. *See* Civ. L.R. 7-3(a). The court has received no such
opposition.

18 The court ORDERS Plaintiff to respond by September 20, 2017 and explain his failure to
19 respond to the motion. In addition, Plaintiff must simultaneously (1) submit his opposition to the
20 court or (2) file a statement of non-opposition to the motion. This order to show cause does not
indicate that the court will necessarily accept Plaintiff's late submission. If Plaintiff does not
21 respond by September 20, 2017, Defendant's motion may be granted or the case may be dismissed
22 for failure to prosecute. The September 28, 2017 hearing on the motion for summary judgment is
23 VACATED and will be re-set, if necessary, following Plaintiff's submission.

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IT IS SO ORDERED.

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Dated: September 12, 2017

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Donna M. Ryu
United States Magistrate Judge

